IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

OP.No. 20566 of 2002(W)

PETITIONER:

AHEMED RAWTHER, EDAYILE VEEDU,
MANGARAM, PANDALAM, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.M.NARENDRA KUMAR
SRI.SALISH ARAVINDAKSHAN

RESPONDENTS:
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1. **KERALA STATE ROAD TRANSPORT CORPORATION LTD., THIRUVANANTHAPURAM, REPRESENTED BY ITS MANAGING DIRECTOR.**

2. **EXECUTIVE DIRECTOR (VIGILANCE AND STATISTICS), OFFICE OF THE MANAGING DIRECTOR, K.S.R.T.C., THIRUVANANTHAPURAM.**

BY ADV. SRI.P.PARAMESWARAN NAIR, SC, KSRTC
SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 09/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO.35166/2002 IN O.P.NO.20566/2002 W

DISMISSED

9/07/2007 **SD/- THOTTATHIL B.RADHAKRISHNAN,JUDGE**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE CHARGE MEMO DTD. 29/09/93.**

EXT.P2; **COPY OF THE EXPLANATION DTD. 7/01/94.**

EXT.P3: **COPY OF THE SHOW CAUSE NOTICE DTD.22/03/95.**

EXT.P4: **COPY OF THE REPLY DTD. 15/06/95.**

EXT.P5: **COPY OF THE ORDER NO.VLC-2-38977/193 DTD. 28/09/95.**

EXT.P6; **COPY OF THE PROCEEDINGS DTD. 2/01/01 ISSUED BY THE 1ST RESPONDENT.**

EXT.P7: **COPY OF THE MEDICAL CERTIFICATE DTD. 8/07/02.**

/TRUE COPY/

KSS

Thottathil B. Radhakrishnan, J.

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O.P.No.20566 of 2002

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Dated this the 9th day of July, 2007.

JUDGMENT

Petitioner while employed in the KSRTC availed leave for different spells for foreign service. He was employed outside India for fifteen years. He rejoined duty on 6-11-1992 and he left applying for leave from 7-11-1992 to 6-12-1992 producing the medical certificate. Thereafter, he merely sent leave applications and never reported for duty. The KSRTC treated it as a case of unauthorised absence and proceeded against him on counts of indiscipline. He was asked to show cause. He was a Blacksmith in service and many vehicles were found idling in the Sulthan Bathery garage on account of non-availability of Blacksmith. The proceedings ultimately concluded against him. He filed an appeal. The Managing Director, as the Appellate Authority confirmed the findings of the disciplinary authority and concluded that the disciplinary proceedings and punishment imposed are in order.

Having heard the learned counsel and having perused the documents, I do not find any ground to interfere with the impugned action. Writ petition fails. The same is dismissed. However, there will be no order as to costs.

Thottathil B.Radhakrishnan,
Judge.

sl.

Thottathil B. Radhakrishnan, J.

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O.P.No.20566 of 2002

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JUDGMENT

Dated:9-7-2007